STATUTORY INSTRUMENTS

1979 No. 930

CIVIL AVIATION

The Air Navigation (Noise Certification) Order 1979

Laid before Parliament in draft
Made - - - - *26th July* 1979
Coming into Operation *1st August* 1979

At the Court of Saint James, the 26th day of July 1979

Present,
The Counsellors of State in Council

Whereas Her Majesty, in pursuance of the Regency Acts 1937 to 1953, was pleased, by Letters Patent dated the 16th day of July 1979, to delegate to the six Counsellors of State therein named or any two or more of them full power and authority during the period of Her Majesty's absence from the United Kingdom to summon and hold on Her Majesty's behalf Her Privy Council and to signify thereat Her Majesty's approval for anything for which Her Majesty's approval in Council is required:

And whereas a draft of this Order has been laid before Parliament and has been approved by resolution of each House of Parliament in accordance with section 19(2) of the Civil Aviation Act 1968(a);

Now, therefore, Her Majesty Queen Elizabeth The Queen Mother and His Royal Highness The Prince Charles, Prince of Wales, being authorised thereto by the said Letters Patent, and in pursuance of the powers conferred by sections 8, 57, 58, 59 and 61 of the Civil Aviation Act 1949(b) and of all other powers enabling Her Majesty, and by and with the advice of Her Majesty's Privy Council, do on Her Majesty's behalf order, and it is hereby ordered, as follows: —

Citation and Operation

1. This Order may be cited as the Air Navigation (Noise Certification) Order 1979 and shall come into operation on 1st August 1979.

Revocation

2. Subject to the following provisions of this Article, the following Orders are hereby revoked, that is to say—

The Air Navigation (Noise Certification) Order 1970(c)

The Air Navigation (Noise Certification) (Amendment) Order 1972(d).

(a) 1968 c. 61.
(b) 1949 c. 67; s. 8 is amended by 1968 c. 61, s. 19; s. 58 is amended by 1977 c. 13, s. 20(4).
(c) S.I. 1970/823.
(d) S.I. 1972/455.

Interpretation

3.—(1) In this Order:—

"An International Standard Atmosphere at sea level" has the meaning specified in Schedule 2 to this Order;

"Authorised person" means any constable and any person authorised by the Authority (whether by name or by class or description) either generally or in relation to a particular case or class of cases;

"By-pass ratio" means the ratio of the air mass flow through the by-pass ducts of a gas turbine engine to the air mass flow through the combustion chambers calculated at maximum thrust when the engine is stationary in an International Standard Atmosphere at sea level;

"dB(A)" means the unit for expressing A—weighted overall sound pressure level determined in accordance with British Civil Airworthiness Requirements Section N—Noise Issue 2 dated 10th November 1978 as amended on 14th June 1979 with any modifications which may be prescribed;

"EPNdB" means the unit for expressing effective perceived noise level determined in accordance with British Civil Airworthiness Requirements Section N—Noise Issue 2 dated 10th November 1978 as amended on 14th June 1979 with any modifications which may be prescribed;

"The Convention" means the Convention on International Civil Aviation signed on behalf of the United Kingdom at Chicago on 7th December 1944;

"Noise certificate" means a certificate issued or other document approved by the competent authority of a State to the effect that the aeroplane to which the certificate or other document relates complies with the applicable noise certification requirements in force in that State;

"Prescribed" means prescribed by Regulations made by the Secretary of State under this Order.

(2) Expressions used in this Order shall unless the context otherwise requires, have the same respective meanings as in the Air Navigation Order 1976(a).

(3) A power to make regulations under this Order shall include the power to make different provisions with respect to different classes of aeroplanes and with respect to different circumstances and to make such incidental and supplementary provisions as are necessary or expedient for carrying out the purposes of the Order.

Application of Order

4. This Order shall apply to:—

(*a*) every propeller driven aeroplane having a maximum total weight authorised of 5,700 kg or less;

(*b*) every other aeroplane which: —

(a) S.I. 1976/1783 to which there are amendments not relevant to this Order.

(i) in accordance with its certificate of airworthiness has a take-off distance required, at maximum total weight authorised on a hard level runway in still air in an International Standard Atmosphere at sea level, of at least 600 metres; and

(ii) is incapable of sustaining level flight at a speed in excess of Flight Mach 1.0.

Requirement of noise certificate

5. An aeroplane to which this Order applies shall not land or take-off in the United Kingdom unless—

(*a*) there is in force in respect of that aeroplane a noise certificate—

(i) issued by the Authority under Article 6 of this Order; or

(ii) issued by the competent authority of the country in which the aeroplane is registered, being a country prescribed as one which applies standards which in the opinion of the Secretary of State are substantially equivalent to those required for the issue of a noise certificate by the Authority; or

(iii) issued in pursuance of the Convention by the competent authority of the State in which the aeroplane is registered, and

(*b*) any conditions subject to which the certificate was issued are complied with:

Provided that the foregoing prohibition shall not apply to: —

(*a*) an aeroplane flying in accordance with the "A Conditions" or the "B Conditions" set forth in Schedule 2 to the Air Navigation Order 1976;

(*b*) an aeroplane landing or taking off at a prescribed place.

Issue of noise certificate by the Civil Aviation Authority and validity of noise certificate

6.—(1) The Authority shall issue a noise certificate in respect of any aeroplane to which this Order applies if it is satisfied that the aeroplane complies with the applicable standards specified in this Article in relation to the noise made by the aeroplane, and for that purpose the applicant for a certificate shall furnish such evidence and submit the aeroplane to such flying trials and other tests as the Authority may require.

(2) The standards applicable to an aeroplane having turbojet or turbofan engines (not being an aeroplane of a description referred to in paragraph (3) or (4) of this Article) shall be those specified in Part I of Schedule 1 to this Order.

(3) Subject to paragraph (8) of this Article, the standards applicable to an aeroplane having turbojet or turbofan engines which, in the opinion of the Authority—

(*a*) conforms to a prototype aeroplane in respect of which the authorities of the State of manufacture received an application for a certificate of airworthiness on or after 6th October 1977 and did not reject that application; or

(*b*) conforms to a modification of such a prototype aeroplane, being a modification in respect of which the authorities of the State of manufacture received an application to modify the certificate of airworthiness for the prototype on or after 6th October 1977 and did not reject that application,

shall be those specified in Part II of the said Schedule 1.

(4) Subject to paragraph (8) of this Article, the standards applicable to an aeroplane having turbofan engines with a by-pass ratio of 2 or more which, in the opinion of the Authority conforms to a modification of a prototype aeroplane (being a prototype in respect of which the authorities of the State of manufacture received an application for a certificate of airworthiness before 6th October 1977 and did not reject that application and being a modification in respect of which the authorities of the State of manufacture received an application to modify the certificate of airworthiness for the prototype on or after 6th October 1977 and did not reject that application) shall be those specified in Part III of the said Schedule 1.

(5) The standards applicable to a propeller driven aeroplane having a maximum total weight authorised of more than 5,700 kg shall be those specified in Part IV of the said Schedule 1.

(6) The standards applicable to a propeller driven aeroplane having a maximum total weight authorised of 5,700 kg or less (not being an aeroplane of a description referred to in paragraph (7) of this Article) shall be those specified in Part V of the said Schedule 1.

(7) Subject to paragraph (8) of this Article, the standard applicable to a propeller driven aeroplane having a maximum total weight authorised of 5,700 kg or less which in the opinion of the Authority conforms to a modification of a prototype aeroplane (being a prototype in respect of which the authorities of the State of manufacture received an application for a certificate of airworthiness before 1st January 1975 and did not reject that application and being a modification in respect of which the authorities of the State of manufacture received an application to modify the certificate of airworthiness for the prototype on or after 6th October 1977 and did not reject that application) is that the noise made by the aeroplane shall be no louder than that made by the prototype when the noise level of the prototype and of the modification of the prototype are measured in accordance with paragraph 2 of Part V of the said Schedule 1 in the noise certification reference conditions set out in paragraph 1 thereof.

(8) For purposes of determining the standard applicable to an aeroplane, where the interval between—

(*a*) the application for a certificate of airworthiness for a prototype aeroplane and the first issue of a certificate for an aeroplane of that type, or

(*b*) the application to modify a certificate of airworthiness for a prototype and the first issue of a certificate for an aeroplane of that type as modified,

exceeds 5 years, the date on which the application was made shall, unless the Authority in a particular case otherwise directs, be deemed to be 5 years before the date of the first issue of the certificate.

(9) The Authority shall issue every noise certificate subject to a condition as to the maximum total weights at which the aeroplane may take-off and land and may issue such a certificate subject to such other conditions relating to standards as to noise as it thinks fit.

(10) Subject to the provisions of this Article and of Article 9 of this Order, a noise certificate issued under this Article shall remain in force without limit of time.

(11) A noise certificate issued under this Article in respect of an aeroplane registered in the United Kingdom shall cease to be sufficient for the purposes of Article 5 of this Order: —

(*a*) if the aeroplane or any part of it is modified, in any way which affects the ability of the aeroplane to comply with the noise standards required by this Order, otherwise than in a manner and with the material of a type approved by the Authority either generally or in relation to a class of aeroplane or to a particular aeroplane;

(*b*) until the completion of any inspection or test of the aeroplane required by the Authority to be made for the purpose of ascertaining whether the aeroplane continues to comply with the noise standards required by this Order.

(12) The Authority may, for the purposes of this Article, accept reports furnished to it by a person whom it may approve, either absolutely or subject to such conditions as it thinks fit, as qualified to furnish such reports.

Noise certificate to be carried

7.—(1) An aeroplane shall not land or take-off in the United Kingdom unless it carries any noise certificate which it is required to carry under the law of the country in which it is registered.

(2) An aeroplane registered in the United Kingdom shall, when in flight, whether within the United Kingdom or elsewhere, carry any noise certificate which is required by this Order to be in force in respect of that aeroplane:

Provided that if the flight is intended to begin and end at the same aerodrome, the certificate may be kept at that aerodrome instead of being carried in the aeroplane.

Production of noise certificate

8. The commander of an aeroplane shall, within a reasonable time after being requested to do so by an authorised person, cause to be produced to that person the noise certificate in force in respect of that aeroplane.

Revocation, suspension and variation of noise certificates

9.—(1) The Authority may, if it thinks fit, provisionally suspend any noise certificate, approval, exemption or other document issued under this Order pending inquiry into or consideration of the case. The Authority may, after sufficient ground being shown to its satisfaction after due enquiry, revoke, suspend or vary any such certificate, approval, exemption or other document.

(2) The holder or any person having the possession or custody of any noise certificate, approval, exemption or other document which has been revoked, suspended or varied under this Order shall surrender it to the Authority within a reasonable time after being required to do so by it.

(3) The breach of any condition subject to which any noise certificate, approval, exemption or other document has been issued under this Order shall render the certificate invalid during the continuance of the breach.

Offences in relation to noise certificates

10.—(1) A person shall not with intent to deceive—

(*a*) use any noise certificate issued or required under this Order which has been forged, altered, revoked or suspended, or to which he is not entitled; or

(*b*) lend any such certificate to, or allow it to be used by, any other person; or

(*c*) make any false representation for the purpose of procuring for himself or any other person the issue, renewal or variation of any such certificate.

(2) A person shall not purport to issue any noise certificate under this Order unless he has been authorised to do so.

Power to prevent aeroplanes flying

11.—(1) If it appears to the Authority or an authorised person that any aeroplane is intended or likely to be flown in such circumstances that Article 5 of this Order would be contravened in relation to the flight, the Authority or that authorised person may direct the operator or the commander of the aeroplane that he is not to permit the aeroplane to make the flight or any other flight of such designation as may be specified in the direction, until the direction has been revoked by the Authority or by an authorised person, and the Authority or that authorised person may take such steps as are necessary to detain the aeroplane.

(2) If the operator or the commander of an aeroplane fails without reasonable excuse to comply with a direction given to him pursuant to paragraph (1) of this Article, he shall be guilty of an offence.

(3) For the purposes of paragraph (1) of this Article, the Authority or any authorised person may enter upon and inspect any aeroplane.

Right of access to aerodromes and other places

12.—The Authority and any authorised person shall have for the purpose of ascertaining whether the provisions of this Order are being complied with, the right of access at all reasonable times—

(*a*) to any aerodrome for the purpose of inspecting any aeroplane on the aerodrome or any document which it has, or he has, power to demand under this Order, and for the purpose of detaining any aeroplane under this Order; and

(*b*) to any place where an aeroplane has landed, for the purpose of inspecting the aeroplane or any document which it has, or he has, power to demand under this Order and for the purpose of detaining the aeroplane under this Order:

Provided that access to a Government aerodrome shall only be obtained with the permission of the person in charge of the aerodrome.

Obstruction of persons

13. A person shall not intentionally obstruct or impede any person acting in the exercise of his powers or the performance of his duties under this Order

Penalties

14.—(1) If any provision of this Order is contravened in relation to an aeroplane, the operator of that aeroplane and the commander thereof shall (without prejudice to the liability of any other person under this Order for that contravention) be deemed for the purposes of the following provisions of this Article to have contravened that provision unless he proves that the contravention occurred without his consent or connivance and that he exercised all due diligence to prevent the contravention.

(2) If it is proved that an act or omission of any person which would otherwise have been a contravention by that person of a provision of this Order was due to any cause not avoidable by the exercise of reasonable care by that person, the act or omission shall be deemed not to be a contravention by that person of that provision.

(3) If any person contravenes any provisions of this Order, not being a provision referred to in paragraph (4) of this Article, he shall be liable on summary conviction to a fine not exceeding £200.

(4) If any person contravenes Articles 5, 10, 11 or 13 of this Order he shall be liable on summary conviction to a fine not exceeding £400.

Application of Order to the Crown and visiting forces etc.

15.—(1) Subject to the following provisions of this Article, the provisions of this Order shall apply to, or in relation to, aeroplanes belonging to or exclusively employed in the service of Her Majesty, as they apply to or in relation to other aeroplanes and for the purposes of such application the Department or other authority for the time being responsible on behalf of Her Majesty for the management of the aeroplane shall be deemed to be the operator of the aeroplane:

Provided that nothing in this Article shall render liable to any penalty any Department or other authority responsible on behalf of Her Majesty for the management of any aeroplane.

(2) The naval, military and air force authorities and members of any visiting force and any international headquarters and the members thereof and property held or used for the purpose of such a force or headquarters shall be exempt from the provisions of this Order to the same extent as if that force or headquarters formed part of the forces of Her Majesty raised in the United Kingdom and for the time being serving there.

(3) Nothing in this Order shall apply to or in relation to any military aircraft.

Exemption

16. The Authority after consultation with the Secretary of State may exempt from any of the provisions of this Order or any regulations made thereunder any aeroplane or persons or classes of aeroplanes or persons, either absolutely or subject to such conditions as it thinks fit.

Extra territorial effect of the Order

17.—(1) Except where the context otherwise requires, the provisions of this Order: —

(*a*) in so far as they apply (whether by express reference or otherwise) to aeroplanes registered in the United Kingdom, shall apply to such aeroplanes wherever they may be;

(*b*) in so far as they apply as aforesaid to other aeroplanes shall apply to such aeroplanes when they are within the United Kingdom;

(*c*) in so far as they prohibit, require or regulate (whether by express reference or otherwise) the doing of anything by the commander of any aeroplane registered in the United Kingdom, shall apply to him wherever he may be; and

(*d*) in so far as they prohibit, require or regulate as aforesaid the doing of anything in relation to any aeroplane registered in the United Kingdom by other persons shall, where such persons are British subjects or citizens of the Republic of Ireland, apply to them wherever they may be.

(2) Nothing in this Article shall be construed as extending to make any person guilty of an offence in any case in which it is provided by section 3(1) of the British Nationality Act 1948(a) (which limits the criminal liability of certain persons who are not citizens of the United Kingdom and colonies) that that person shall not be guilty of an offence.

N. E. Leigh,
Clerk of the Privy Council.

(a) 1948 c. 56.

Article 6.

SCHEDULE 1

PART I

Noise standards required for issue of a noise certificate to aeroplanes specified in Article 6(2)

1. In this Part of this Schedule—

"the noise certification reference conditions" means conditions in which—

(i) atmospheric pressure at sea level is 1013.25 millibars;

(ii) ambient air temperature is 25°C;

(iii) relative humidity is 70%;

(iv) there is zero wind; and

(v) the maximum take-off and landing weights of the aeroplane are those at which noise certification is requested by the applicant for the certificate.

2. The noise levels required by paragraph 3 of this Part of this Schedule shall be measured at the following points:—

(*a*) on take-off, at a point on a line parallel to and 650 metres from the extended centre-line of the runway where it appears to the Authority that the noise during take-off is greatest;

(*b*) on take-off, at a point on the extended centre-line of the runway, 6,500 metres from the start of the take-off run; and

(*c*) on the approach to landing at a point on the extended centre-line of the runway, 120 metres vertically below the 3° descent path.

3.—(1) Subject to the provisions of paragraph 4 of this Part of this Schedule an aeroplane having the maximum total weight authorised specified in the first column of the following Table shall not, at the points referred to at (*a*), (*b*) and (*c*) of paragraph 2 of this Part of this Schedule, exceed in the noise certification reference conditions, the noise levels specified in relation to those points in the 2nd, 3rd and 4th columns of that Table, as shown by flying trials.

TABLE

Maximum total weight authorised of aeroplane	Noise level in EPNdB		
	At point (a)	At point (b)	At point (c)
272,000 kg or more	108	108	108
34,000 kg or less	102	93	102

(2) Where the maximum total weight authorised of the aeroplane is between the weights specified in the above Table, the noise levels which are not to be exceeded shall vary linearly according to the logarithm of the maximum total weight authorised of the aeroplane.

(3) The necessary corrections shall be made where the flying trials are carried out in conditions other than the noise certification reference conditions.

4. The noise levels specified in paragraph 3 of this Part of this Schedule may be exceeded at one or two of the measuring points specified in paragraph 2 if—

(*a*) the sum of the excess does not exceed 4 EPNdB;

(*b*) at no measuring point is the excess greater than 3 EPNdB; and

(*c*) the excesses are completely offset by reductions at the other measuring points.

PART II

Noise standards required for issue of a noise certificate to aeroplanes specified in Article 6(3)

1. In this Part of this Schedule—

"the noise certification reference conditions" means conditions in which—

(i) atmospheric pressure at sea level is 1013.25 millibars;

(ii) ambient air temperature is 25°C;

(iii) relative humidity is 70%;

(iv) there is zero wind; and

(v) the maximum take-off and landing weights of the aeroplane are those at which noise certification is requested by the applicant for the certificate.

2. The noise levels required by paragraph 3 of this Part of this Schedule shall be measured at the following points:

(*a*) on take-off, at a point on a line parallel to and 450 metres from the centre-line or extended centre-line of the runway where it appears to the Authority that the noise during take-off is greatest;

(*b*) on take-off, at a point on the extended centre-line of the runway, 6,500 metres from the start of the take-off run; and

(*c*) on the approach to landing, at a point on the extended centre-line of the runway, 120 metres vertically below the 3° descent path.

3.—(1) Subject to the provisions of paragraph 4 of this Part of this Schedule, an aeroplane having the maximum total weight authorised specified in the first column of the following Table shall not, at the points referred to at (*a*), (*b*) and (*c*) of paragraph 2 of this Part of this Schedule, exceed in the noise certification reference conditions, the noise levels in relation to those points in the 2nd, 3rd, 4th and 5th columns (whichever is applicable having regard to the number of engines installed in the aeroplane) and in the 6th column of that Table, as shown by flying trials.

TABLE

Maximum total weight authorised of aeroplane	Noise Level in EPNdB				
	At point (a)	At point (b)			At point (c)
		2 engines	3 engines	4 engines	
400,000 kg or more	103				
385,000 kg or more	|	101	104	106	
280,000 kg or more	|	|	|	|	105
48,125 kg or less	|	89	|	|	|
35,000 kg or less	94		|	|	98
28,615 kg or less			89	|	
20,234 kg or less				89	

(2) Where the maximum total weight authorised of the aeroplane is between the weights specified in the above Table, the noise levels which are not to be exceeded shall vary linearly according to the logarithm of the maximum total weight authorised of the aeroplane.

(3) The necessary corrections shall be made where the flying trials are carried out in conditions other than the noise certification reference conditions.

4. The noise levels specified in paragraph 3 of this Part of this Schedule may be exceeded at one or two of the measuring points specified in paragraph 2 if—

(*a*) the sum of the excesses does not exceed 3 EPNdB;

(*b*) at no measuring point is the excess greater than 2 EPNdB; and

(*c*) any excesses are completely offset by reductions at the other measuring point or points.

PART III

Noise standards required for issue of a noise certificate to aeroplanes specified in Article 6(4)

1. In this Part of this Schedule—

"the noise certification reference conditions" means conditions in which—

(i) atmospheric pressure at sea level is 1013.25 millibars;

(ii) ambient air temperature is 25°C;

(iii) relative humidity is 70%;

(iv) there is zero wind; and

(v) the maximum take-off and landing weights of the aeroplane are those at which noise certification is requested by the applicant for the certificate.

2. The noise levels required by paragraph 3 of this Part of this Schedule shall be measured at the following points:

(*a*) on take-off, at a point on a line parallel to and 650 metres from the centre-line or extended centre-line of the runway where it appears to the Authority that the noise during take-off is greatest;

(*b*) on take-off, at a point on the extended centre-line of the runway, 6,500 metres from the start of the take-off run; and

(*c*) on the approach to landing at a point on the extended centre-line of the runway, 120 metres vertically below the 3° descent path.

3.—(1) Subject to the provisions of paragraph 4 of this Part of this Schedule, an aeroplane having the maximum total weight authorised specified in the first column of the following Table shall not, at the points referred to at (*a*), (*b*) and (*c*) of paragraph 2 of this Part of this Schedule, exceed in the noise certification reference conditions, the noise levels specified in relation to those points in the 2nd, 3rd, 4th or 5th columns (whichever is applicable having regard to the number of engines installed in the aeroplane) and in the 6th column of that Table, as shown by flying trials.

TABLE

Maximum total weight authorised of aeroplane	Noise level in EPNdB				
	At point (a)	At point (b)			At point (c)
		2 engines	3 engines	4 engines	
400,000 kg or more	106				
325,000 kg or more		104	107	108	
280,000 kg or more					108
133,447 kg				102.9	
66,724 kg			97.9		
48,312 kg or less		93			
35,000 kg or less	97				101
34,000 kg or less			93	93	

(2) Where the maximum total weight authorised of the aeroplane is between the weights specified in the above Table, the noise levels which are not to be exceeded shall vary linearly according to the logarithm of the maximum total weight authorised of the aeroplane.

(3) The necessary corrections shall be made where the flying trials are carried out in conditions other than the noise certification reference conditions.

4. The noise levels specified in paragraph 3 of this Part of this Schedule may be exceeded at one or two of the measuring points specified in paragraph 2 if—

(*a*) the sum of the excess does not exceed 4 EPNdB;

(*b*) at no measuring point is the excess greater than 3 EPNdB; and

(*c*) any excesses are completely offset by reductions at the other measuring point or points.

PART IV

Noise standards required for issue of a noise certificate to aeroplanes specified in Article 6(5)

1. In this Part of this Schedule—

"the noise certification reference conditions" means conditions in which—

(i) atmospheric pressure at sea level is 1013.25 millibars;

(ii) ambient air temperature is 25°C;

(iii) relative humidity is 70%;

(iv) there is zero wind; and

(v) the maximum take-off and landing weights of the aeroplane are those at which noise certification is requested by the applicant for the certificate.

2. The noise levels required by paragraph 3 of this Part of this Schedule shall be measured at the following points:

(*a*) on take-off, at a point on a line parallel to and 650 metres from the centre-line or extended centre-line of the runway where it appears to the Authority that the noise during take-off is greatest;

(*b*) on take-off, at a point on the extended centre-line of the runway, 6,500 metres from the start of the take-off run; and

(*c*) on the approach to landing at a point on the extended centre-line of the runway, 120 metres vertically below the 3° descent path.

3.—(1) Subject to the provisions of paragraph 4 of this Part of this Schedule, an aeroplane having the maximum total weight authorised specified in the first column of the following Table shall not, at the points referred to at (*a*), (*b*) and (*c*) of paragraph 2 of this Part of this Schedule, exceed in the noise certification reference conditions, the noise levels specified in relation to those points in the 2nd, 3rd and 4th columns of that Table, as shown by flying trials.

TABLE

Maximum total weight authorised of aeroplane	Noise Level in EPNdB		
	At point (a)	At point (b)	At point (c)
384,666 kg or more	103		105
358,906 kg or more	|	106	|
34,000 kg or less	96	89	98

(2) Where the maximum total weight authorised of the aeroplane is between the weights specified in the above Table, the noise levels which are not to be exceeded shall vary linearly according to the logarithm of the maximum total weight authorised of the aeroplane.

(3) The necessary corrections shall be made where the flying trials are carried out in conditions other than the noise certification reference conditions.

4. The noise levels specified in paragraph 3 of this Part of this Schedule may be exceeded at one or two of the measuring points specified in paragraph 2 if—

(*a*) the sum of the excesses does not exceed 3 EPNdB;

(*b*) at no measuring point is the excess greater than 2 EPNdB; and

(*c*) any excesses are completely offset by reductions at the other measuring point or points.

PART V

Noise standards required for issue of a noise certificate to aeroplanes specified in Article 6(6)

1. In this Part of this Schedule—

"the noise certification reference conditions" means conditions in which—

(i) atmospheric pressure at sea level is 1013.25 millibars;

(ii) ambient air temperature is 25°C;

(iii) the maximum take-off weight of the aeroplane is that at which noise certification is requested by the applicant for the certificate.

2. The noise level required by paragraph 3 of this Schedule shall be measured in a level fly-over, at a point 300 metres vertically below the aeroplane.

3.—(1) Subject to the provisions of paragraph 4 of this Schedule, an aeroplane having the maximum total weight authorised specified in the 1st column of the following Table shall not, at the point referred to in paragraph 2 of this Part of this Schedule, exceed in the noise certification reference conditions, the noise level specified in the 2nd column of that Table, as shown by flying trials.

TABLE

Maximum total weight authorised of aeroplane	Noise Level in dB(A) at measurement point
1500 kg or more	80
600 kg or less	68

(2) Where the maximum total weight authorised of the aeroplane is between the weights specified in the above Table, the noise level which is not to be exceeded shall vary linearly according to the maximum total weight authorised of the aeroplane.

(3) The necessary corrections shall be made where the flying trials are carried out in conditions other than the noise certification reference conditions.

Article 3

SCHEDULE 2

"An International Standard Atmosphere at sea level" means an atmosphere having the following characteristics: —

(*a*) the air is a perfect dry gas;

(*b*) the physical constants are:

(i) sea level mean molecular weight:
$M_0 = 28.9644$

(ii) sea level atmospheric pressure:
$P_0 = 1013.250$ millibars
$= 1.013250 \times 10^5$ newtons. m^{-2}

(iii) sea level temperature:
$t_0 = 15°$ C
$T_0 = 288.15°K$

(iv) sea level atmospheric density:
$\bar{\rho}_0 = 1.2250$ kg m^{-3}

(v) temperature of the ice point:
$T_i = 273.15°K$

(vi) universal gas constant:
$R^* = 8.31432$ joules $(°K)^{-1}$ mol^{-1}

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order revokes and replaces, with modifications, the Air Navigation (Noise Certification) Order 1970, as amended.

It applies to all aeroplanes except—

(*a*) supersonic aeroplanes

(b) aeroplanes (not being propeller driven aeroplanes of 5,700 kg or less) which need for take-off a runway of less than 600 metres.

The Order prohibits an aeroplane to which it applies, wherever registered, from landing or taking-off in the United Kingdom unless it has a noise certificate issued by the Civil Aviation Authority, or by the competent authority of such countries as may be prescribed by regulations made by the Secretary of State, or issued in pursuance of the Chicago Convention of 1944. It makes provision for the issue of noise certificates by the Authority, specifies standards with which an aeroplane must comply in order to obtain such a certificate, and contains ancillary provisions including power to detain aeroplanes to prevent a contravention of the Order, and power to exempt aeroplanes from the provisions of the Order.

The publication British Civil Airworthiness Requirements Section N—Noise Issue 2, referred to in Article 3, can be purchased from the Civil Aviation Authority, Greville House, 37, Gratton Road, Cheltenham, Glos GL50 2BN.

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